

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID COIL,

Plaintiff,

v.

WARDEN BRIAN WILLIAMSON, et al.,

Defendants.

Case No.: 2:24-cv-00017-RFB-NJK

ORDER

(Docket Nos. 9, 15, 16)

Plaintiff David Coil, an inmate in the custody of the Nevada Department of Corrections, initiated this case with a civil rights complaint filed under 42 U.S.C. § 1983. Docket No. 1-1. Plaintiff subsequently filed a motion “to accept amended complaint” as well as two documents titled “addendum.” Docket Nos. 9, 13, 14. Each of these documents attempts to add onto the operative complaint. The Court will not piecemeal Plaintiff’s complaint together from multiple filings. Plaintiff’s operative complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to pursue in this lawsuit. Accordingly, the Court gives Plaintiff leave to file a single, complete, first amended complaint on or before October 28, 2024. If Plaintiff does not file a first amended complaint, the Court will screen the initial complaint and will not consider any allegations in Plaintiff’s motion to amend and his addendum.

If Plaintiff chooses to file an amended complaint, he is advised that an amended complaint supersedes (replaces) the original complaint, and, thus, the amended complaint must be complete in itself. *See Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989) (holding that “[t]he fact that a party was named in the original complaint is irrelevant; an amended pleading supersedes the original”); *see also Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012) (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such claims in a subsequent amended complaint to preserve them for appeal). Plaintiff’s

1 amended complaint must contain all claims, defendants, and factual allegations that Plaintiff
2 wishes to pursue in this lawsuit. Moreover, Plaintiff must file the amended complaint on this
3 Court's approved prisoner civil rights form, and it must be entitled "First Amended Complaint."

4 Accordingly, for the reasons stated above,

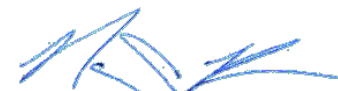
5 IT IS ORDERED that Plaintiff's motion to amend the complaint, Docket No. 9, is
6 **DENIED**. The Court also will not consider Plaintiff's addendums.

7 IT IS FURTHER ORDERED that Plaintiff is given leave to file a single, complete, first
8 amended complaint no later than October 28, 2024.

9 IT IS FURTHER ORDERED that the Clerk of the Court send will send to Plaintiff the
10 approved form for filing a § 1983 complaint, instructions for the same, and a copy of his original
11 complaint (Docket No. 1-1).

12 IT IS SO ORDERED.

13 DATED: September 27, 2024.

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16 NANCY J. KOPPE
17 UNITED STATES MAGISTRATE JUDGE
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